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# Court of Appeals, State of Michigan

## ORDER

People of MI v John L. Anderson, Sr.

Docket No. 260926

LC No. 03-004343-FH

Joel P. Hoekstra  
Presiding Judge

Richard A. Bandstra

Jane E. Markey  
Judges

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The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is GRANTED, and the matter is remanded for the trial court to reconsider defendant's motion to withdraw his guilty plea following an evidentiary hearing on the motion. The trial court is to make findings of fact and a determination on the record. The trial court shall also hear and decide defendant's allegation that his trial attorney rendered him ineffective assistance of counsel. See *People v Ginther*, 390 Mich 436, 443-444; 212 NW2d 922 (1973). The trial court is to decide the matter within 56 days of the Clerk's certification of this order.

Appellant must file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry. The trial court is to cause a transcript of the hearing on remand to be prepared and filed within 21 days after completion of the proceedings.

This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court that finally disposes of the remand proceedings. Any supplemental brief shall be filed within 21 days of the filing of the transcript or decision on the motion, which ever is later.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 19 2005  
Date

*Sandra Schultz Mengel*  
Chief Clerk